



AMENDMENT TRANSMITTAL LETTER				After Final Rejection	
Application No. 10/663,488		Filing Date September 16, 2003		Examiner B. E. Pellegrino	
				Group Art Unit 3738	
Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok				Docket No. SPINE 3.0-437	
Invention: INTERVERTEBRAL SPACER DEVICE HAVING AN ENGAGEMENT HOLE FOR MANIPULATION USING A SURGICAL TOOL					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	14	- 20 =	0	x 50.00	0.00
Independent Claims	2	- 3 =	0	x 200.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 William A. Di Bianca Attorney Reg. No. 58,653				Dated: <u>April 17, 2007</u>	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090					
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
Dated: April 17, 2007		Signature: (William A. Di Bianca)			



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 17, 2007

Signature: 

(William A. Di Bianca)

Docket No.: SPINE 3.0-437
CPCPCPCPCPCPC I CON III
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Errico et al.

Application No.: 10/663,488

Filed: September 16, 2003

For: INTERVERTEBRAL SPACER DEVICE
HAVING AN ENGAGEMENT HOLE FOR
MANIPULATION USING A SURGICAL
TOOL

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: Group Art Unit: 3738
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: Examiner: B. E. Pellegrino
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MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed October 18, 2006, Applicants submit the following amendments and remarks.